

**DISPOSITION:** March 16, 1954. Default decree of condemnation. The court ordered that the cake mix contained in each package be destroyed and that the cans of pineapple in the packages be delivered to a charitable institution.

## DAIRY PRODUCTS

### BUTTER

**21163. Adulteration of butter. U. S. v. Linn County Farmers' Mutual Creamery Association. Plea of guilty. Fine of \$150, plus costs. (F. D. C. No. 35164. Sample No. 45324-L.)**

**INFORMATION FILED:** January 21, 1954, Northern District of Iowa, against the Linn County Farmers' Mutual Creamery Association, a corporation, Coggon, Iowa.

**ALLEGED SHIPMENT:** On or about May 27, 1953, from the State of Iowa into the State of Massachusetts.

**LABEL, IN PART:** (Box) "Bulk Butter Distributed By Watts & Sons New York."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** January 21, 1954. The defendant having entered a plea of guilty, the court fined it \$150, plus costs.

**21164. Adulteration of butter. U. S. v. 17 Cartons (544 pounds) \* \* \*. (F. D. C. No. 35878. Sample No. 7814-L.)**

**LIBEL FILED:** November 13, 1953, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 20, 1953, by the Beatrice Foods Co., Blue Valley Creamery Division, from Columbus, Ohio.

**PRODUCT:** 17 cartons, each containing 32 pounds, of butter at Pittsburgh, Pa.

**LABEL, IN PART:** (Parchment wrapper) White Rose Farm Butter \* \* \* Distributed by Beatrice Foods Co. General Offices—Chicago, Illinois."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance, and it was made from filthy cream; and, Section 402 (a) (4), the article was prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 3, 1953. Default decree of condemnation and destruction.

### CHEESE

**21165. Misbranding of muenster cheese. U. S. v. 115 Boxes \* \* \*. (F. D. C. No. 35229. Sample Nos. 51706-L, 51707-L.)**

**LIBEL FILED:** May 12, 1953, Southern District of New York.

**ALLEGED SHIPMENT:** On or about April 17 and 24, 1953, by the Ray Cheese Corp., from Monroe, Wis.

**PRODUCT:** 115 boxes, each containing 6 6-pound loaves, of muenster cheese at New York, N. Y.

**LABEL, IN PART:** (Loaf) "Royal Brand \* \* \* Made From Pasteurized Milk Muenster Cheese."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Made From Pasteurized Milk" was false and misleading as applied to the article, which was made from milk which had not been pasteurized.

Further misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for muenster cheese since the article was made from milk which had not been pasteurized.

**DISPOSITION:** February 5, 1954. Default decree of destruction. The court ordered that the product be delivered to charitable institutions.

## EGGS

**21166. Adulteration of frozen eggs. U. S. v. 999 Cans \* \* \*. (F. D. C. No. 36402. Sample No. 51831-L.)**

**LIBEL FILED:** On or about March 9, 1954, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 13, 1952, by the Wenk Produce Co., from Madison, S. Dak.

**PRODUCT:** 999 30-pound cans of frozen whole eggs or frozen egg whites at Orangeburg, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** May 11, 1954. Default decree of condemnation and destruction.

**21167. Adulteration of frozen eggs. U. S. v. 82 Cans \* \* \* (and 1 other seizure action). (F. D. C. Nos. 36155, 36162. Sample Nos. 37566-L, 52746-L.)**

**LIBELS FILED:** December 4, 1953, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about October 26 and November 12, 1953, by the Sam Pollman Egg Co., from Kansas City, Mo.

**PRODUCT:** 605 30-pound cans of frozen eggs at Brooklyn, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** December 11, 1953. Greenland Egg Products, Inc., Brooklyn, N. Y., claimant, having consented to the entry of a decree and the libel actions having been consolidated, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the good eggs from the bad, under the supervision of the Department of Health, Education, and Welfare.

As a result of the segregation operations, 130 cans of the product were found unfit. A portion of the unfit cans was delivered to the Food and Drug Administration, and the remainder was denatured for technical use.

## FEEDS AND GRAINS

**21168. Misbranding of soybean oil meal. U. S. v. Galesburg Soy Products Co. and Max Albert. Pleas of guilty. Fine of \$600 against company and \$100 against individual, plus costs. (F. D. C. No. 35125. Sample Nos. 14934-L, 32842-L, 32843-L.)**

**INFORMATION FILED:** July 20, 1953, Southern District of Illinois, against the Galesburg Soy Products Co., a corporation, Galesburg, Ill., and Max Albert, president of the corporation.